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Attorneys for Texas Tax Claimants

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN THE MATTER OF:

CASE NO. 08-35653

CIRCUIT CITY STORES, INC.

DEBTOR

CHAPTER 11

MOTION FOR LEAVE OF COURT TO APPEAR TELEPHONICALLY

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME Tax Appraisal District of Bell County (Cl# 13398)(“Bell County”), County of Brazos, City of College Station, College Station Independent School District (Cl# 4553)(“Brazos County”), County of Comal, City of New Braunfels, Comal Independent School District (Cl# 4551)(“Comal County”), County of Denton (Cl# 4554), City of Waco, Waco Independent School District (Cl# 4558)(“Waco City and ISD”), Longview Independent School District (Cl# 13198), City of Midland, Midland County Hospital District, Midland Independent School District (Cl# 4557)(Midland CAD”), County of Taylor, City of Abilene, Abilene

Independent School District (Cl# 4550)(“Taylor CAD”), County of Williamson (Cl# 13199)(“Williamson County”), hereinafter referred to collectively as “Texas Tax Authorities,” by and through its undersigned local counsel, hereby move the Court for leave for Michael Reed, lead counsel for the Texas Taxing Authorities, to attend telephonically the Hearing on Debtors’ Motion for Partial Summary Judgment on the Thirty-Seventh Omnibus Objection to Claims (Reduction of Certain Personal Property Tax Claims) on June 8, 2010, and in support thereof, would show the Court the following:

1. The Texas Taxing Authorities hold several claims which are subject to the Thirty-Seventh Omnibus Objection to claims.
2. Pursuant to the Court’s Supplemental Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Amended Notice, Case Management, and Administrative Procedures dated December 30, 2009, “Upon request, the court may allow counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in person, unless leave of the is granted on a case by case basis.”
3. This Court has previously entered an Order Granting the motion of Kevin A. Lake for an Order Authorizing Michael Reed to Appear Pro Hac Vice Pursuant to Local Bankruptcy Rule 200-1(E)(2).
4. The Texas Taxing Authorities respectfully request leave of Court for Michael Reed to appear telephonically at the Hearing. Reed is located in Texas. Although Local Counsel has been retained, the Texas Taxing Authorities’ claims and the Motion for Partial Summary Judgment

concern the interplay of Texas tax law and the Bankruptcy Code. Mr. Reed is experienced in Texas property tax law and has a unique knowledge of the issues regarding the Texas Taxing Authorities' claims which would aid in the efficient resolution of the motion for partial summary judgment. Reed is unable to appear at the Hearing in person. Movant asserts that the interest of justice would be served by allowing Mr. Reed to appear telephonically at the Hearing.

WHEREFORE, the Texas Taxing Authorities request that Michael Reed be permitted to appear telephonically at Hearing on Debtors' Motion for Partial Summary Judgment on the Thirty-Seventh Omnibus Objection to Claims (Reduction of Certain Personal Property Tax Claims) on June 8, 2010 and for such other relief to which it may show itself entitled.

Dated this 3rd day of June, 2010

Respectfully submitted,

VANDEVENTER BLACK LLP

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School District, Midland CAD, Taylor County,
Williamson County

CERTIFICATE OF SERVICE

I hereby certify that I caused the aforesaid motion to be served on the following parties by First Class U. S. Mail or by facsimile, and to those parties receiving notification through the Court's electronic notification system on June 3, 2010.

/s/ Kevin A. Lake

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